



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Indian Health Service
Rockville MD 20857

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SGM 93- 2

TO: 1 Area and Associate Directors

FROM : Acting Director -

SUBJECT : Indian Health Service Policy - Placement of Indian Health Service
Scholarship Recipients Under Public Law 94-437, Title 1, Section 104

The Indian Health Service (IHS) policy regarding placement of graduates of health profession programs scholarships under Public Law (P.L.) 94-437, Section 104, has been in effect since the Director's memorandum dated November 22, 1983. This policy was intended to ensure that Indian students completing health profession programs under P.L. 94-437 be given priority consideration for their initial entry into positions within IHS for which they are qualified.

In the context of this policy, priority consideration means, that the student (if basic qualifications are met) must be given consideration by the selecting official before any other candidates are referred for consideration. This policy is necessary in order to fulfill the service obligation requirements incurred through an IHS scholarship contract. Priority consideration is subject to applicable Civil Service rules and regulations.

The purpose of this memorandum is to reaffirm the Director's previous policy for placement of IHS scholarship recipients. In addition, it provides guidance for the processing of applications for IHS positions from these individuals based on both experience in dealing with past situations and with comments and suggestions from the Area and Regional Personnel Offices. Because the recent signing of the Indian Health Care Amendments (P.L. 102-573, October 1992) has created a need for subsequent action, this revised policy will serve as an interim policy until all features of the P.L. 102-573 can be incorporated, including a Placement Office and a national placement policy.

I reaffirm IHS' commitment to recognize the continuing health professions manpower needs among Indian people and to make use of properly trained individuals upon completion of their scholarship program. Within the context of this policy, genuine priority employment consideration will be given to scholarship recipients for positions within IHS for which they are trained and qualified, prior to the referral of any other candidates.

Service Obligation

The IHS Scholarship Program Contract requires that Health Professions scholarship recipients serve 1 year for each year of scholarship support:

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that the recipient receives. A minimum obligation of service is 2 years. The Health Professions scholarship recipient 'must serve active duty service obligation in one of the following

1. The IHS.
2. A program conducted under a contract, entered into under the Indian Self Determination Act (P.L. 93-638).
3. A program assisted under Title V of the Indian Health Care Improvement Act (P.L. 94-437).
4. A private practice if, in accordance with guidelines promulgated by the Secretary, such practice is located in a Health Professional Shortage Area and addresses the health care needs of a substantial number (25 percent of the service population) of American Indians and Alaska Natives.

However, according to Section 104(b) (3) (B) of the Indian Health Care Improvement Act (P.L. 94-437) as amended, a scholarship recipient may at his/her election, serve his/her obligation with one of the program; specified above that is located on the reservation where the recipient is enrolled, or serving the tribe where the recipient is enrolled.

Servicing Personnel Office Responsibilities

Graduating students may apply for employment using either the U.S. Civil Service system or the Public Health Service Commissioned Corps personnel system. The Excepted Service Examining Plan applies to Indian applicants who are exercising their employment option with INS under P.L. 94-437 and are seeking employment in the Civil Service.

The servicing personnel offices will use the following order of precedence in the referral of candidates:

- * Qualified Indian preference eligible IHS scholarship recipients
 - * Other qualified Indian preference eligible candidates
 - * Qualified non-Indian preference eligible IHS -scholarship recipients
 - * All other qualified candidates
1. Scholarship recipients who apply for employment. must indicate clearly on their application that they are a scholarship program graduate and provide verification of program completion.
 2. Applicants under P.L. 94-437 who are applying for priority consideration will be screened against qualification standards stated in the announcement: .

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3. Only those Indian applicants who meet minimum qualifications will be rated and ranked in accordance with the Excepted Service Examining Plan, taking Veteran preference into consideration when applicable. Non-Indians who do not have status will be appointed through the regular Civil Service certification process of the U.S. Office of Personnel Management.
4. If the applicant is ranked among the top three candidates after the excepted service process has been completed, the application of the scholarship recipient will be referred prior to any other non-scholarship recipients for priority consideration. This same process must be followed when through the declination process a scholarship recipient becomes one of the top three candidates.

The one exception to this process is when a qualified Indian preference candidate (Veteran or Non-Veteran) is on the Reemployment Priority List (RPL). The candidate on the RPL must be referred to the selecting official and must decline further consideration before the scholarship recipient can receive priority consideration.

Scholarship Program Office Responsibilities

1. Advise the Servicing Personnel Offices of pertinent information regarding the P.L. 94-439 scholarship recipient, i.e., dates of availability and type of discipline completed.
2. Serve as an advisor to the scholarship recipients, emphasizing the following:
 - * Sending their applications to the IHS facilities of their choice.
 - * Applying for positions for which they are qualified, according to their academic study.
 - * Submitting proof of receipt and completion of a scholarship.

Selecting Official Responsibilities

1. The selecting official must make the decision whether or not to select the scholarship recipients referred for priority consideration.
2. Should the selecting officials decide not to select any candidate who is eligible for priority consideration, they must provide -sufficient justification in writing, through appropriate channels (Area Director/Regional Personnel. Office or Associate Director for Headquarters positions) explaining why they did not select the scholarship recipient. This justification and any request for approval of a waiver to select you would need a "waiver of the requirement to select" or "approval to non-select" must be submitted to the Division of Personnel Management for approval of the Director, IHS, with concurrence from the Area Director/Regional Personnel Officers or Associate Director (if for Headquarters positions). Supporting documentation must be included.

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A tentative selection may be made at this time. from a panel of qualified applicants .A firm offer of employment cannot, be made until the Director, IHS, has determined that the justification to not select the scholarship applicant is sufficient and concurs with the request. When requesting a waiver from the Director, the application of the tentative selectee should be submitted along with the application of the scholarship recipient. If no other candidate is available, then the request to not select the scholarship recipient should be accompanied by a request to re-issue the vacancy announcement.

All declinations or acceptance of offers of employment must be provided to the scholarship program office in writing from the servicing personnel office immediately upon receipt. These notifications must contain pertinent information, i.e., name, title, series and grade of position, date, and reason for declination, etc.

Questions regarding the types of positions for which a scholarship recipient must receive priority consideration will be determined by the scholarship program office, Office of Human Resources.


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Refer to: OHR/DHPR&T